

Message

From: Bromley, Eugene [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=17F71E77A97E4D82A6623E3063633135-EBROMLEY]
Sent: 7/27/2016 10:53:22 PM
To: Salmons, James [james.salmons@bsee.gov]; Greenberg, Ken [Greenberg.Ken@epa.gov]
CC: Tucker, Colby [tucker.williamc@epa.gov]; Smith, DavidW [Smith.DavidW@epa.gov]
Subject: RE: Maintenance & Operational Waste Discharge
Attachments: maintenance waste.pdf

James,

I've attached some info on how we view whether it is a permit violation or not; it is a violation (discharge of "garbage" is prohibited for consistency with Coast Guard regs), but some discretion is in order.

What we had in mind for minimizing discharges of sand blasting debris was something like a tarp being used to collect the wastes.

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From: Salmons, James [mailto:james.salmons@bsee.gov]
Sent: Wednesday, July 27, 2016 11:47 AM
To: Greenberg, Ken <Greenberg.Ken@epa.gov>; Bromley, Eugene <Bromley.Eugene@epa.gov>
Subject: Maintenance & Operational Waste Discharge

Good morning,

I'm writing concerning a potential enforcement issue for Beta Offshore, Platform Eureka.

Beta was identified to have been performing sand blasting on their facility without appropriate tarping to prevent waste materials from entering the ocean. Further, signage was displayed identifying the paint material as potentially lead-based.

We know this because of video footage taken by a whistle-blower; this incident occurred in August of 2014.

I'm wondering what enforcement action(s) should be taken here. Under 30 CFR 250.912 we (BSEE) require operators to perform such activities as sandblasting to ensure structural integrity, however do not permit or approve disposal of such maintenance wastes. We could issue an INC (incident of Non-Compliance) to the operator for failure to prevent pollution under 30 CFR 250.300, but in my opinion, that action lacks teeth. The USCG has their own set of requirements under 33 CFR Part 151, and we have yet to reach out to them. Based on our historic joint-enforcement actions, I

would anticipate a Notice of Violation being issued, which too, is administrative rather than punitive.

I wanted to start with you all to get an idea of what enforcement mechanisms you have at your disposal (if this is in fact, a NPDES violation), and what action, if any, you would pursue in this situation.

Thanks for your time, and I'm always available by phone if you'd prefer to discuss.

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Respectfully,

James Salmons

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